IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1558 of 2004 (S/S)

Shankar Lal, S/o Birbal
R/o Manpur, Neuria
District Pilibhit
Presently R/o Charubeta, Khatima
District Udham Singh Nagar .....Petitioner

Versus

1. State of Uttaranchal through its
   Secretary, Forest Department, Dehradun.
2. Conservator of Forest, Nainital
   District Nainital.
3. Divisional Forest Officer (D.F.O.)
   Tarai East Forest Division
   Haldwani, District Nainital
4. Ranger, Surai Range, Khatima
   District Udham Singh Nagar.....Respondents.

None for the petitioner.
Learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J

None present for the petitioner.

2. Learned Standing Counsel for the State is present.

3. The petitioner is an employee on daily wages and working as Wheat Watcher in the Forest Department.

3. By means of this petition, the petitioner, who is a daily wage labourer, has sought his regularization in service. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) Supreme Court Cases, Pg. 01***, wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be

absorbed against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize service of the petitioner, the petition is liable to be dismissed.

4. The writ petition is dismissed. Interim orders dated 23.12.1004 and 29.04.2005, are hereby vacated. (All pending applications also stand disposed of).

Dt. 14.11.2006 **(Prafulla C. Pant, J.)**

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